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Date: August 31, 2001

By:

Kay L. Gaviglio
Kay L. Gaviglio

PATENT

Docket No. GC477C1



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RECEIVED

In re Application of)

Wang et al.)

Serial No. 09/273,957)

Filed: March 22, 1999)

For: Novel Phenol Oxidizing Enzyme)
Enzymes)

Group Art Unit: 1652

Examiner: M. A. Walicka, Ph.D.

SEP 06 2001

TECH CENTER 1600/2900

AMENDMENT

Commissioner for Patents
Washington, D.C. 20231

Sir:

In response to the Office Action dated April 4, 2001, Applicants respectfully request reconsideration of the above-identified application in view of the following amendment and remarks. This response is considered timely. A petition for a two-month extension of time is concurrently filed herewith.

In the Claims

Please replace the following amended claims with a clean copy of said claims. A marked-up version is appended hereto.

B, 3.(Once amended) A purified phenol oxidizing enzyme obtained from a *Stachybotrys chartarum* or a *Stachybotrys parvispora*, wherein said purified enzyme exhibits an increase in apparent molecular weight after boiling, as determined by SDS-polyacrylamide gel electrophoresis and is capable of modifying the color associated with a dye or a colored compound.

Applicants acknowledge the non-statutory double patenting rejection of claims 1 - 15, 17 and 56 -57 over claims 1, 2, 3 of copending Application No. 09/218,702 and further the Examiner's statement that a timely filed terminal disclaimer in compliance with 37 CFR 1.321(c) may be used to overcome the actual or provisional rejection.

Further Applicants acknowledge that the Examiner has made a "same invention" statutory type double patenting rejection of claim 15 as claiming the same invention as that of claim 3 of copending Application No. 09/218,702.


Applicants respectfully defer any further discussion on the double patenting rejections until there is agreed upon patentable subject matter in the present application.

Based on the amendment and remarks provided herein Applicants respectfully request the withdrawal of all rejections and the allowance of claims 3, 6 - 17, and 57 - 63 is kindly solicited.

Respectfully submitted,

Date: August 31, 2001

Genencor International, Inc.
925 Page Mill Road
Palo Alto, CA 94304
Tel: 650-846-7620
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Lynn Marcus-Wyner
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Date: August 31, 2001

By:

Kay L. Saviglio
Kay L. Saviglio

PATENT
Docket No. GC477C1

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TECH CENTER 1600/2900

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Wang et al.

Serial No.: 09/273,957

Filed: March 22, 1999

For: Novel Phenol Oxidizing Enzyme
Enzymes

Group Art Unit: 1635

Examiner: Not Assigned

PETITION FOR EXTENSION OF TIME

Commissioner for Patents
Washington, D.C. 20231

Sir:

The following extension of time is requested to respond to the Office Action dated April 4, 2001.

one month to _____; the extension fee is \$110.00.

two months to September 2, 2001; the extension fee is \$390.00.

three months to _____; the extension fee is \$890.00.

four months to _____; the extension fee is \$1,390.00.

five months to _____; the extension fee is \$1,890.00.

The extended time for response does not exceed the statutory period.

☐ The shortened statutory period has been reset by an Advisory Action dated _____.

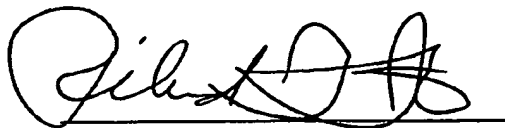
☒ Charge \$390.00 to Deposit Account No. 07-1048.

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The Commissioner is hereby authorized to charge any fees under 37 C.F.R. §§ 1.16 and 1.17 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 07-1048 (Docket No. GC477C1). A duplicate of this paper is enclosed.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Richard T. Ito", written over a horizontal line.

Richard T. Ito
Registration No. 32,242

Date: August 31, 2001

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